

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

ATTORNEYS/FEES. Provides for the collection of court costs and attorney fees relative to a suit regarding damage to a condominium

DIGEST

Proposed law allows for the awarding of reasonable attorney fees and court costs when the association of unit owners of a condominium fails to repair damage to any common element of actions or inactions by the unit or any portion of a unit that falls under the responsibility of the association and the individual unit owner incurs expenses in bringing a claim when a judgment is rendered in the unit owner's favor.

Proposed law provides that any contractual provision that attempts to limit, diminish, or prevent the recovery provided by proposed law shall be prohibited.

(Adds R.S. 9:1121.104)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Commerce to the original bill.

1. Clarified that the association of unit owners may be responsible for repairs, attorney fees, and court costs for the association's actions or inactions.
2. Clarified that the individual unit owner may be awarded attorney fees.
3. Clarified that any attempts to limit, diminish, or prevent the recovery of attorney fees and court costs through contractual provisions is prohibited.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the engrossed bill.

1. Clarifies that the association of unit owners are responsible for failure to repair damage to any common element of a unit or portion of a unit which falls under the responsibility of the association.